



S T A T E B A R O F M I C H I G A N

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**To:** Representative Pete Lund, Chair, House Government Operations  
Members of the House Government Operations Committee

**From:** Peter Cunningham, Director of Governmental Relations

**Date:** December 3, 2013

**Re:** HB 5156 – Court of Claims  
House Government Operations Committee Hearing

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The State Bar of Michigan supports the purpose of HB 5156 to preserve any and all rights a party may have had to a jury trial prior to the enactment of PA 164.

The State Bar of Michigan supports the amendments proposed by the Negligence Law Section of the State Bar to make the bill clearer. The recommended amendments from the Negligence Law Section would:

- Clarify that any right to a jury trial a party had prior to the enactment of PA 164 is expressly preserved, including claims against any individual state employee;
- Clarify that such jury trials would occur in a circuit, district, or probate court of proper jurisdiction;
- Clarify that defendants' rights to jury trial are expressly preserved, along with those of plaintiffs and claimants.

If you would like to discuss this position in further detail or have questions, please contact me directly at your convenience.